

REMARKS

Claims 1-23 remain pending in the present application.

Claims 1, 4-6, 8, 12, 15, 16, 20 and 23 over Tanaka in view of Yan

In the Office Action, claims 1, 4-6, 8, 12, 15, 16, 20 and 23 were rejected under 35 USC 103(a) as allegedly being anticipated by U.S. Pat. No. 6,542,749 to Tanaka et al. ("Tanaka") in view of U.S. Patent No. 6,424,819 to Yan ("Yan"). The Applicant respectfully traverses the rejections.

Claims 1, 4-6, 8, 12, 15, 16, 20 and 23 recite a system and method wherein a reminder is **automatically directly** transferred to another wireless PDA when a detected proximity between two PDA devices **is less than about a pre-established threshold**.

Tanaka appears to disclose a telecommunications environment wherein a number of users make use of a location-aware telecommunication system (See col. 5, lines 6-9). An initiating first telecommunication unit TU connects with one or more other TUs based upon distances between all such TUs eligible for a connection, TUs are selected to be added to the connection based on their physical proximity to the initiating TU (See Tanaka, col. 5, lines 39-46).

Tanaka relies on an **intermediate** telecommunication system to facilitate communications between TUs (See Fig. 1, Fig. 3, Fig. 6, Fig. 8 and Fig. 11). "Teachings of references can be combined only if there is some suggestion or incentive to do so." In re Fine, 5 USPQ2d 1596,1600 (Fed. Cir. 1988) (quoting ACS Hosp. Sys. v. Montefiore Hosp., 221 USPQ 929, 933 (Fed. Cir. 1984)) (emphasis in original). Neither Tanaka nor Yan disclose or suggest modifying Tanaka to perform **direct** communications between PDAs, much less modifying Tanaka to **automatically directly** transferred to another wireless PDA when a detected proximity between two PDA devices **is less than about a pre-established threshold** a reminder, as recited by claims 1, 4-6, 8, 12, 15, 16, 20 and 23.

The Examiner acknowledges that Tanaka fails to disclose a reminder that is directly transferred to another wireless PDA by a detected

proximity to another wireless PDA device (See Office Action, page 3). The Office Action relies on Yan to allegedly make up for the deficiencies in Tanaka to arrive at the claimed features. The Applicant respectfully disagrees.

The Examiner alleges that Yan discloses a reminder that is directly transferred to another wireless PDA by a detected proximity to another wireless PDA device at col. 7, line 28-col. 8, line 11 (See Office Action, page 3). Thus, the Examiner **ACKNOWLEDGES** that Yan fails to disclose or suggest transferring a reminder when a detected proximity between two PDA devices **is less than about a pre-established threshold**, as recited by claims 1, 4-6, 8, 12, 15, 16, 20 and 23.

Thus, the Examiner **ACKNOWLEDGES** that **neither** Tanaka nor Yan disclose a system and method wherein a reminder is automatically **directly** transferred to another wireless PDA when a detected proximity between two PDA devices **is less than about a pre-established threshold**, as recited by claims 1, 4-6, 8, 12, 15, 16, 20 and 23.

Moreover, Yan discloses a system and method of sending a security code with a corresponding data that allows a secure review of the data (See col. 7, lines 56-66). The data is transferred from one portable computerized device to another portable computerized device **when they are within range** of one another (See Yan, col. 7, lines 27-40).

Thus, Yan simply transmits a **security code** from one portable computerized device to another computerized device once **within range** **NOT** a **reminder** when a detected proximity between two PDA devices **is less than about a pre-established threshold**, as recited by claims 1, 4-6, 8, 12, 15, 16, 20 and 23.

Moreover, Yan fails to even mention a **PDA**, much less disclose or suggest the **direct** transfer of information from one **PDA** to another **PDA**, much less when a detected proximity between two PDA devices **is less than about a pre-established threshold**, as recited by claims 1, 4-6, 8, 12, 15, 16, 20 and 23.

Thus, modifying Tanaka that relies on **indirect** transfer of information between devices with Yan that fails to mention a PDA would fail to disclose or suggest a system and method wherein a reminder is **automatically**

directly transferred to another wireless PDA when a detected proximity between two PDA devices is less than about a pre-established threshold, as recited by claims 1, 4-6, 8, 12, 15, 16, 20 and 23.

A benefit of a system and method wherein a reminder is automatically directly transferred to another wireless PDA when a detected proximity between two PDA devices is less than about a pre-established threshold is, e.g., the ability to restrict a reminder to a user of another PDA. Many PDAs have built in capability to communicate with other PDAs through WiFi, infrared and/or Bluetooth front end(s). Conventionally, as with Yan, once two devices are within communication range of one another communications are established to transfer information. However, in many instances a user of a PDA may desire a restricted number of users receive a transfer of information, e.g., persons within a meeting. By basing transfer of a reminder from one PDA to another PDA on a pre-established threshold, a PDA user can share a reminder with restricted recipients in close proximity, e.g., in a meeting. The cited prior art fails to disclose or suggest the claimed features having such benefits.

For at least all the above reasons, claims 1, 4-6, 8, 12, 15, 16, 20 and 23 are patentable over the prior art of record. It is therefore respectfully requested that the rejections be withdrawn.

Claims 2, 3, 9-11, 14, 17-19 and 22 over Tanaka in view of Yan and Erikson

In the Office Action, claims 2, 3, 9-11, 14, 17-19 and 22 were rejected under 35 USC 103(a) as allegedly being obvious over Tanaka in view of Yan, and further in view of U.S. Patent No. 6,622,018 to Erikson ("Erikson"). The Applicant respectfully traverses the rejections.

Claims 2, 3, 9-11, 14, 17-19 and 22 are dependent on claims 1, 8, 12, 16 and 20, and are allowable for at least the same reasons as claims 1, 8, 12, 16 and 20.

Claims 2, 3, 9-11, 14, 17-19 and 22 recite a system and method wherein a reminder is automatically directly transferred to another wireless PDA when a detected proximity between two PDA devices is less than about a pre-established threshold.

As discussed above, Tanaka in view of Yan fails to disclose or suggest a system and method wherein a reminder is **automatically directly** transferred to another wireless PDA when a detected proximity between two PDA devices **is less than about a pre-established threshold**, as recited by claims 2, 3, 9-11, 14, 17-19 and 22.

The Office Action acknowledges that Tanaka in view of Yan fails to disclose a piconet/bluetooth front end (Office Action, page 4). The Office Action relies on Erikson to allegedly make up for the deficiencies in Tanaka to arrive at the claimed invention. The Applicant respectfully disagrees.

Erikson discloses a system and method for controlling a remote device over a wireless connection (See Abstract). In one embodiment, a hand-held computer system having a Bluetooth-enabled transceiver is used to control other Bluetooth-enabled devices (See Erikson, Abstract). Erikson discloses passing commands from one Bluetooth-enabled device to another, failing to disclose or suggest passing any information between two Bluetooth-enabled devices when a detected proximity between two devices **is less than about a pre-established threshold**, much less a system and method wherein a reminder is **automatically directly** transferred to another wireless PDA when a detected proximity between two PDA devices **is less than about a pre-established threshold**, as recited by claims 2, 3, 9-11, 14, 17-19 and 22.

Thus, even if the modification of Tanaka with the disclosure of Yan and Erikson were obvious (which it is not), the theoretical combination would fail to disclose a system and method wherein a reminder is **automatically directly** transferred to another wireless PDA when a detected proximity between two PDA devices **is less than about a pre-established threshold**, as recited by claims 2, 3, 9-11, 14, 17-19 and 22.

For at least all the above reasons, claims 2, 3, 9-11, 14, 17-19 and 22 are patentable over the prior art of record. It is therefore respectfully requested that the rejections be withdrawn.

Claim 7 over Tanaka in view of Yan and Berstis

In the Office Action, claim 7 was rejected under 35 USC 103(a) as allegedly being obvious over Tanaka in view of Yan, and further in view of U.S. Patent No. 6,650,894 to Berstis et al. (“Berstis”). The Applicant respectfully traverses the rejections.

Claim 7 is dependent on claim 1, and is allowable for at least the same reasons as claim 1.

Claim 7 recites a system wherein a reminder is **automatically directly** transferred to another wireless PDA when a detected proximity between two PDA devices **is less than about a pre-established threshold**.

As discussed above, Tanaka fails to disclose or suggest a system wherein a reminder is **automatically directly** transferred to another wireless PDA when a detected proximity between two PDA devices **is less than about a pre-established threshold**, as recited by claims 13 and 21.

The Office Action acknowledges that Tanaka in view of Yan fails to disclose a reminder that is an audible alert (See Office Action, page 5). The Office Action relies on Berstis to allegedly make up for the deficiencies in Tanaka to arrive at the claimed invention. The Applicant respectfully disagrees.

Berstis discloses a system and method of adjusting a level of usage of an electronic device according to a proximity of other electronic devices (See Abstract). Based on time of day, proximity to another mobile phone and caller ID received, an audio output is conditionally activated to alert a user of the mobile phone of an incoming call (See Berstis, col. 4, lines 58-67).

Thus, Berstis discloses a system and method of **controlling a behavior of an electronic device** based on its proximity to another electronic device. Berstis fails to disclose basing a **transfer of information** from one electronic device to another electronic device when a proximity between the two electronic devices **is less than about a pre-established threshold**, much less a system wherein a reminder is **automatically directly** transferred to another wireless PDA when a detected proximity between two PDA devices **is less than about a pre-established threshold**, as recited by claim 7.

Moreover, even if the modification of Tanaka in view of Yan with the teachings of Berstis were obvious (which it is not), the theoretical combination would fail to disclose a system wherein a reminder is **automatically directly** transferred to another wireless PDA when a detected proximity between two PDA devices **is less than about a pre-established threshold**, as recited by claim 7.

For at least all the above reasons, claim 7 is patentable over the prior art of record. It is therefore respectfully requested that the rejections be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



William H. Bollman
Reg. No. 36,457

MANELLI DENISON & SELTER PLLC

2000 M Street, NW 7TH Floor
Washington, DC 20036-3307
TEL. (202) 261-1020
FAX. (202) 887-0336
WHB/df